

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

JOSE JIMENEZ,

Plaintiff,

vs.

SMITH & NEPHEW, PLC, a foreign
corporation or entity; and SMITH &
NEPHEW, INC., a Delaware corporation,

Defendants.

NO. CIV 09-416

STIPULATED NOTICE OF DISMISSAL

Pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, Plaintiff Jose Jimenez files this Stipulated Notice of Dismissal of all of his claims and causes of action asserted in the above referenced case against Smith & Nephew, PLC only. The parties stipulate that Jose Jimenez voluntarily dismisses all of his claims and causes of action which have been alleged in the above referenced case only against Smith & Nephew, PLC.

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CERTIFICATE OF SERVICE

I hereby certify that on June 30, 2009, I electronically filed the foregoing with the clerk of the court by using the CM/ECF system, which will send a notice of electronic filing to all counsel of record registered to receive electronic service.

RODEY, DICKASON, SLOAN, AKIN & ROBB, P.A.

By /s/ Thomas A. Outler